2014 Compensatory Mitigation Monitoring Report

L.E. Carpenter & Company,
Borough of Wharton, Morris County, NJ

Cardno JFNew Project No. 040229

319480

Cardno JFNew
Shaping the Future

Document Information

Prepared for	TRC Environmental Corporation
Project Name	L.E. Carpenter & Company Site
Project Number	040229
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Date	November 14, 2014

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Table of Contents

Appendices

Tables

Figures

Acronyms

LEC	L.E. Carpenter & Company
NAD	North American Datum
NJDEP	New Jersey Department of Environmental Protection
RAWP	Remedial Action Work Plan
RC	relative cover
RI	Remedial Investigation
ROD	Record of Decision
TRC	TRC Environmental Corporation
USEPA	U.S. Environmental Protection Agency
USGS	U.S. Geological Survey

1 Introduction

L.E. Carpenter & Company (LEC) implemented a Remedial Action Work Plan (RAWP) for the impacted portion of their ±14.6-acre site (approximately 4.7 acres of disturbed area) located at 170 North Main Street, Borough of Wharton, Morris County, New Jersey (Figure 1). The site comprises Block 301, Lot 1 and Block 703, Lot 30 on the Borough of Wharton tax map. The project area is located in the USGS Dover, New Jersey quadrangle with center state plane coordinates of N 754326.5 E 470891.83 (NAD 1983) (Figure 2). A 2002 aerial photograph of the project site is also included (Figure 3).

Due to the parcel's previous utilization for mining and forging throughout the 1700's and 1800's, and vinyl manufacturing from 1943 to 1987, contaminated soils and groundwater were identified on the site. TRC Environmental Corporation (TRC), on behalf of LEC, worked with the U.S. Environmental Protection Agency (USEPA) and the New Jersey Department of Environmental Protection (NJDEP) to implement the RAWP for those impacted areas of the property.

As part of the RAWP, several "Hot Spots" (areas exhibiting either inorganic or organic contaminant concentrations in soil in excess of the 1994 Record of Decision (ROD) cleanup criteria) were identified across the site for removal. Several areas identified for contaminant removal overlapped with jurisdictional wetlands on site. A total of 0.337 acre of jurisdictional wetlands was temporarily impacted as a result of site remediation activities (Figure 4). This acreage consisted of a 0.003 acre and 0.009 acre lobe of forested/scrub-shrub wetland on site, 0.286 acre of forested/scrub-shrub and emergent marsh wetland to the east on the Wharton Enterprise property, and 0.039 acre of the Air Products open-water drainage channel relocation to the northeast. Due to the fact that project activities and wetlands extend off site onto adjacent properties, the project area or site referenced in this plan includes the LEC parcel, several acres of the Wharton Enterprises parcel to the east, and the Air Products drainage channel to the northeast.

Upon completion of cleanup activities, the entire 0.337 acre of wetland disturbance was restored and enhanced with more diverse emergent wetland communities. All temporary wetland impacts were restored and mitigated for at their current locations. A Wetland Mitigation Construction Final Report, dated August 28, 2005, was submitted to the NJDEP upon completion of restoration activities.

The main source of hydrology for the restored wetland is a direct surface water flow from the Rockaway River. The wetland area was restored to pre-cleanup grades. The intention was to restore and enhance the pre-existing wetland so that there is no-net loss of wetlands as a result of the clean-up work completed by LEC.

The primary means through which wetland vegetation was established in the mitigation area was through planting native seed and bare root stock trees, as well as natural colonization from the adjacent wetland areas. For a list of planted species within the mitigation area and transition zone, see Appendix A.

2 Monitoring

Annual monitoring of the mitigation area was originally proposed for a period of five years. Due to the subsequent installation of additional monitoring wells and disturbance associated with required remediation activities, annual site monitoring was extended through 2014. As a result of these additional temporary disturbances, annual monitoring was conducted in excess of the five-year monitoring.

LEC has submitted annual reports to the NJDEP by December 31 of each monitoring year in accordance with the requirements outlined in the NJDEP Mitigation Project Monitoring Reports Checklist for Completeness. The monitoring reports include the following:

1. Photographs of the wetland mitigation areas.
2. Assessment of vegetative communities and evaluation of whether a dominance of wetland species exists (according to federal wetland indicator status of species identified).
3. Wildlife utilization evaluation.
4. Hydrology evaluation.
5. Soil evaluation.
6. Sediment loading evaluation.
7. Evaluation of sideslope and transition area conditions.
8. Evaluation of overall progress toward successful achievement of wetland creation as designed, per each of the performance standards dictated for the project. Perform a comparative assessment between existing conditions and the performance standards.

LEC believes that the wetland and transition mitigation areas have become successfully established. This document will serve as the tenth annual monitoring report.

3 Methods

A spring site visit was completed on May 29 and 30, 2014. During the visit, conditions were overcast with a temperature of 60° F. During the site visit, the invasive species of purple loosestrife (*Lythrum salicaria*) and reed canary grass (*Phalaris arundinacea*) were chemically treated, while autumn olive (*Elaeagnus umbellata*) and multiflora rose (*Rosa multiflora*) were cut and the stumps treated to prevent further spread.

The wetland was walked using the random meander method. All plant species encountered during the walk-through were recorded on inventory data sheets until no new plant species were observed (Appendix B). Plant names were used as listed in Gleason and Cronquist (1991).

Information on hydrology was collected using evidence provided by soil pits. Permanent reference points were located at the beginning of each transect so that water levels are recorded in the same location from year-to-year. The site was also inspected for problems such as erosion, sedimentation, and water quality issues. Signs of wildlife use were recorded during the walk-through. Finally, permanent photopoint locations were identified and reference photographs were taken (Appendix C).

4 Vegetative Community

Quantitative sampling was not performed during the May site visit. Species lists were compiled for the emergent, forested and transition zones and can be found in Appendix B. While percent cover was not evaluated, the site is fully vegetated. The total number of species identified in each zone is lower than in 2013 due to the site visit occurring at the beginning of the growing season. The total number of species in each area remains relatively high considering the small size of each zone. A summary of the species diversity is located in Tables 4-1, 4-2, and 4-3.

Table 1. A summary of species diversity in the emergent zone

Year	Total # Species	# Native Wetland Indicator Species (NWIS)	# Native Species	Percent Vegetative Cover	Percent Actual Cover by NWIS
2005	49	19 (39%)	29 (59%)	77%	11%
2006	46	24 (52%)	31 (67%)	90%	38%
2007	56	36 (64%)	44 (79%)	78%	31%
2008	48	24 (50%)	32 (67%)	89%	39%
2009	71	39 (55%)	50 (70%)	100%	41%
2010	86	43 (50%)	56 (65%)	98%	30%
2011	87	49 (56%)	59 (68%)	96%	31%
2012	93	51 (55%)	63 (68%)	95%	29%
2013	98	53 (54%)	68 (69%)	93.5%	51%
2014	90	50 (56%)	61 (68%)	N/A*	N/A*

*No quantitative data was collected during the May site visit to determine vegetative cover

Table 2. A summary of species diversity in the forested/scrub-shrub zone

Year	Total # Species	# Native Wetland Indicator Species (NWIS)	# Native Species	Percent Vegetative Cover	Percent Actual Cover by NWIS
2005	51	23 (45%)	34 (67%)	82%	10%
2006	53	29 (55%)	41 (77%)	98%	26%
2007	54	23 (43%)	36 (67%)	82%	41%
2008	70	37 (53%)	48 (69%)	98%	53%
2009	76	36 (47%)	55 (72%)	98%	55%
2010	92	42 (46%)	59 (64%)	92%	34%
2011	98	47 (48%)	68 (69%)	95%	34%
2012	106	57 (54%)	71 (67%)	100%	38%
2013	96	48 (50%)	68 (71%)	94%	38%
2014	87	43 (49%)	60 (69%)	N/A*	N/A*

*No quantitative data was collected during the May site visit to determine vegetative cover

Table 3. A summary of species diversity in the transition zone

Year	Total # Species	# Native Wetland Indicator Species (NWIS)	# Native Species	Percent Vegetative Cover
2005	37	7 (19%)	19 (51%)	62%
2006	49	10 (31%)	28 (57%)	94%
2007	63	19 (30%)	39 (62%)	100%
2008	69	14 (20%)	38 (55%)	97%
2009	61	18 (30%)	34 (56%)	99%
2010	66	19 (29%)	37 (56%)	92%
2011	73	24 (33%)	42 (58%)	94%
2012	84	44 (52%)	49 (58%)	96%
2013	77	27 (35%)	43 (56%)	100%
2014	65	20 (31%)	32 (49%)	N/A*

*No quantitative data was collected during the May site visit to determine vegetative cover

The following invasive species were observed within the mitigation wetlands during the 2014 monitoring visit: reed canary grass, purple loosestrife, common reed, autumn olive, and multiflora rose. Since the monitoring period began, purple loosestrife and reed canary grass have been found around the eastern perimeter of the emergent and forested zones. Small seedlings of purple loosestrife that had sprouted during the spring months of 2014 appeared to have increased in number over previous years. The above average rainfall for the region is the most probable cause for the increase. A few plants of common reed remained present around the eastern side of the border between the emergent and forested zones. Cut stump treatments began in 2010 throughout the mitigation area to control autumn olive and multiflora rose. This treatment has resulted in all of the large individual plants being controlled though small saplings continue to sprout up in scattered locations throughout the mitigation area.

During the 2007 site visit, it was noted that all of the planted (June 28, 2005) bareroot trees and shrubs had died through a combination of drought conditions and deer predation. In May of 2008, 275 supplemental bareroot trees and shrubs were installed (Appendix A) with predator guards to encourage sufficient coverage to meet mitigation requirements. During the August 28, 2008 site visit, 165 trees and shrubs were sampled to determine survival. Of the 165 sampled trees, a total of 73 live trees were counted (44.2% survival) in 2008, and 61 (37% survival) in 2009. During the 2010 site visit the total number of live trees sampled was 50 (30% survival), and none were found living during the 2011 site visit.

A Supplemental Remedial Investigation (RI) was required by the USEPA and NJDEP and was completed during the fourth quarter of 2011. As a follow up to the Supplemental RI, a bench scale treatability study was conducted on the soil and underlying groundwater within the wetland mitigation area to determine an appropriate remedial alternative. TRC presented the use of a phytoremediation pilot study within the wetlands area of the site, which was approved by the USEPA and NJDEP. The pilot study included the installation of 51 trees along the south edge of the forested zone and north edge of the emergent zone within the wetland mitigation area. The species planted were a combination of river birch (*Betula nigra*) and weeping willow (*Salix babylonica*). The trees were installed on mounds and were six to nine feet high in 15-gallon pots. At the time of the September 2013 site visit, all of the planted trees appeared to be healthy. It was noted during a subsequent site visit by TRC that an animal had damaged the bark on approximately 50% of the single stem trees. TRC installed predator guards to help protect the trees from further damage. The installation of these guards was completed during November 2013. During the May

2014 site visit, several of the trees planted along the south border of the forested zone appeared to be stressed and/or dying. Two of the river birch trees had already died, and while it is not possible to determine the exact cause, it is likely to be the result of damage that had occurred prior to the installation of the predator guards in 2013.

5 Maintenance

Invasive or noxious vegetation can oftentimes prevent or hinder the successful establishment of native species in a wetland mitigation area. For this reason, a routine wetland maintenance program is being implemented at the LEC project site. This program includes semi-annual site visits to assess and treat (if necessary) any invasive species found on the property. Based on knowledge of the site and adjacent communities, chemical applications have been selected as the most effective maintenance tool for control of invasive species. Invasive species on the site were chemically treated on May 29, 2014. Autumn olive and multiflora rose were cut to within at least 6" of the ground and then a 50% glyphosate mixture was applied manually using a sponge. This method was chosen, despite being more labor intensive, due to its selectivity and minimal damage to surrounding vegetation.

Subsequent to permit issuance and after the restored wetland areas had been planted, several federal agency personnel raised a concern over the use of barnyard grass (*Echinochloa crusgalli*) in the wetland restoration seed mix. Due to the fact that several respected botanical sources disagree on the status of barnyard grass as a native versus non-native species, it was decided that barnyard grass populations on the project site will be monitored. If at any time it is determined that barnyard grass is having a detrimental effect on the mitigation area or prohibiting the establishment of other native species, it will be effectively controlled during the semi-annual maintenance site inspections. Currently, the barnyard grass population appears to be under control and is not negatively impacting the native plant population.

Established invasive species populations in the surrounding areas serve as a seed source for continued introduction of invasive species to the site, and it is therefore not feasible to eliminate all invasive species from the site. Considering the composition of the surrounding natural areas, the implementation of the maintenance plan has been successful in allowing the native species planted on site to establish.

6 Hydrology and Water Quality

During the May site visit, hydrology was present throughout the emergent and forested zones ranging from saturation at the surface to 4 inches of inundation in both the emergent and forested zones. Soil pits indicated the presence of the water table 2" below the soil surface. Hydrology measurements taken since the commencement of monitoring indicate that the hydrology of the site is sufficient to support wetland vegetation.

7 Wildlife Habitat

Evidence of wildlife use was present in the mitigation wetland (Table 7-1). During the May visit, a nest of a Song Sparrow was identified with eggs in the forested zone. The utilization of the mitigation areas by numerous wildlife species indicates that the area is functioning in the same manner as surrounding natural areas. The presence of white-tailed deer and Canada Goose continue to be evident, though herbivory by these species does not appear to have caused detrimental harm to the herbaceous species.

Table 4. Comprehensive list of wildlife observations in the mitigation wetland

BIRDS	
Scientific Name	**Common Name**
Agelaius phoeniceus	Red-winged Blackbird*
Ardea herodias	Great Blue Heron
Branta canadensis	Canada Goose*
Buteo jamaicensis	Red-Tailed Hawk
Colaptes auratus	Northern Flicker
Cyanocitta cristata	Blue Jay*
Dendroica petechia	Yellow Warbler*
Dumetella carolinensis	Gray Catbird
Hirundo rustica	Barn Swallow*
Melospiza melodia	Song Sparrow*
Poecile atricapilla	Black-capped Chickadee
Quiscalus quiscula	Common Grackle
Troglodytes aedon	House Wren
Turdus migratorius	American Robin*
Tyrannus tyrannus	Eastern Kingbird
Zenaida macroura	Mourning Dove
AMPHIBIANS/REPTILES	
Scientific Name	**Common Name**
Chrysemys picta	Eastern painted turtle
Rana clamitans	Green frog
Rana sphenocephala	Southern leopard frog
Thamnophis sirtalis	Common garter snake
MAMMALS	
Scientific Name	**Common Name**
Microtus pennsylvanicus	Meadow vole*
Odocoileus virginianus	White-tailed deer*
Procyon lotor	Raccoon*
INSECTS	
Scientific Name	**Common Name**
Papilio glaucus	Tiger swallowtail
Family Acrididae	Short-horned grasshoppers
Order Mantodea	Praying mantis species
Order Odonata	Red dragonflies
Order Odonata	Blue damselflies
Libellula pulchella	Twelve-spot skimmer

*Observed in 2014

8 Soils

During the 2014 site visit, soil characteristics and textures were not specifically examined due to the fact that this had previously been documented in June 2005. Results of the soil profile review were presented in the Wetland Mitigation Construction Final Report, dated August 28, 2005, and are again presented below (Table 8-1).

Table 5. Soil profile review

Boring ID and Location	Soil Depth	Munsell Soil Color	Soil Texture
Boring 1	0-10”	10YR 4/3	Loam
(40.54.15.00748N 74.34.31.41719W)	10-20”	10YR 3/3	Loam
Boring 2	0-13”	10YR 4/2	Loamy clay
(40.54.14.42438N 74.34.31.14259W)	13-20”	10YR 3/2	Loamy clay
Boring 3	0-15”	10YR 4/3	Loam
(40.54.13.75148N 74.34.31.31904W)	15-20”	10YR 3/1	Loamy clay
Boring 4	0-2”	10YR 4/3	Loam
(40.54.13.94790N 74.34.29.98567W)	2-20”	10YR 3/2	Loam
Boring 5	0-9”	10YR 4/3	Loam
(40.54.14.63046N 74.34.29.45719W)	9-20”	10YR 3/2	Loam
Boring 6	0-20”	10YR 3/3	Loam
(40.54.12.80847N 74.34.34.70682W)			

9 Sedimentation and Erosion Control

As a result of the March 2013 tree installation on site, most of the herbaceous vegetation in the central part of the mitigation area had been disturbed or eliminated, and bare ground was present during the May 2013 site visit. TRC contracted with Cardno JFNew to seed this disturbed ground in 2013 with a mix of native wetland species similar to the original seeding mix (Appendix A). Seeding of the disturbed area was completed on May 22, 2013, and the site had successfully re-vegetated by the September 2013 site visit (Appendix C). No current erosion control issues exist on site.

10 Conclusions

The mitigation area was constructed during an extremely dry growing season, and late installation of seed and bare root trees, as well as herbivory by white-tailed deer and Canada Goose, were causes for the slow development of the mitigation wetland areas. However, during the May 29, 2008 site visit, 275 bare root trees and shrubs were installed with predator guards to compensate for the complete mortality of the 2005 woody plant installation. Despite the loss of the 2008 plantings, it is expected that the forested zone

will continue to develop through natural succession as the large trees within and surrounding the mitigation wetland provide a heavy seed source for future colonization. Future sampling of this establishment will occur as the small seedlings increase in size. The phytoremediation plantings approved by the USEPA and NJDEP have increased the number of large tree stock in the mitigation wetland. The actual percent cover by native wetland species has increased since construction of the site. The diversity of each of the zones is very high with consideration to the size of each zone. The seeding of the disturbed area during the May 22, 2013 site visit appears to have sufficiently established vegetation throughout the mitigation area. It is anticipated that the total species diversity will continue to increase as the vegetation establishes. During the 2014 site visit, there were 90 species identified in the emergent zone, 87 species in the forested zone, and 65 species in the transition zone.

Upon review of the species composition of the surrounding natural areas, it is apparent that the invasive species control and maintenance efforts have been successful in preventing the dominance or significant establishment of invasive species on the subject site. Annual control of invasive species has allowed native plant species and communities to become established on site.

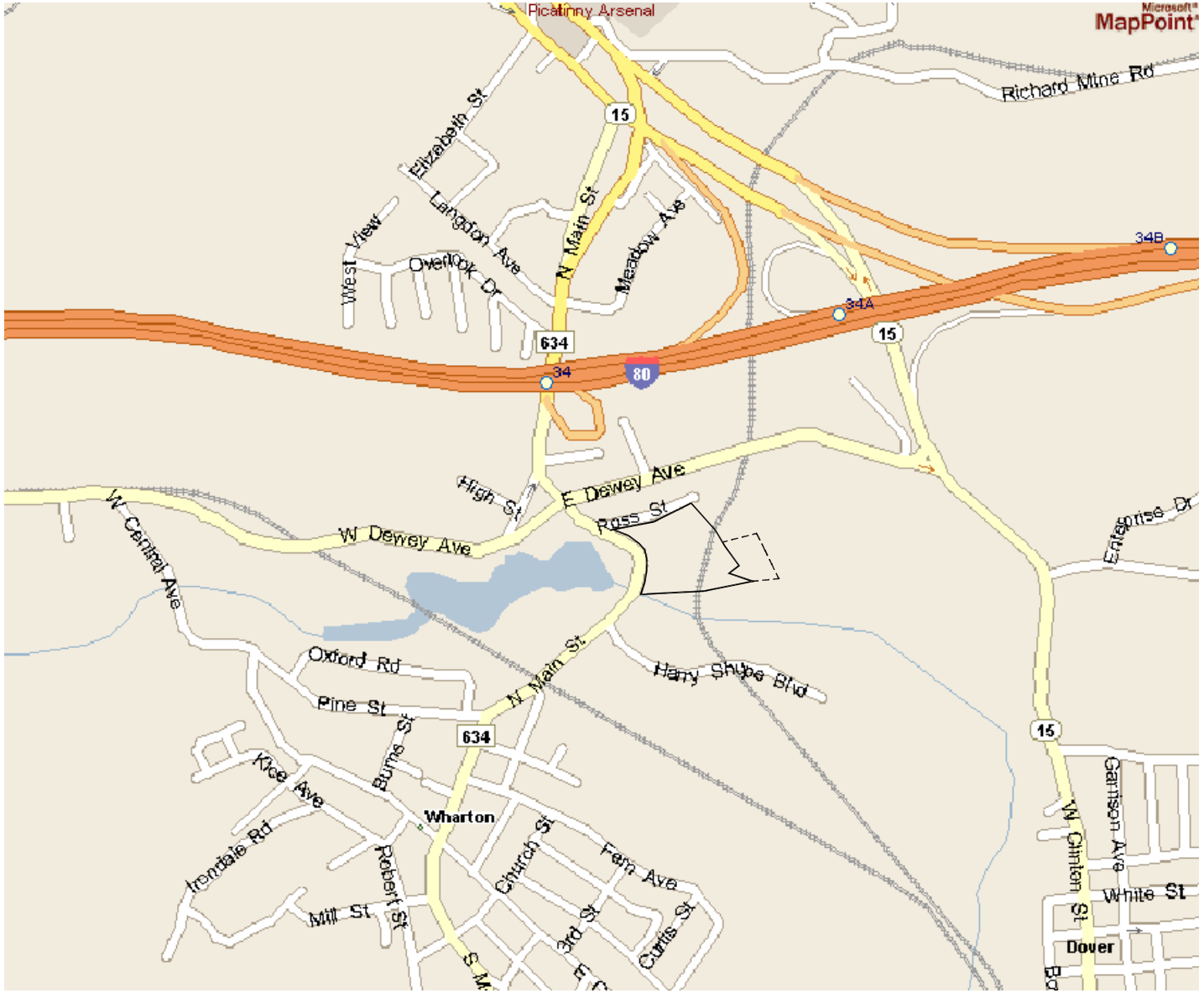
LEC has mitigated for the wetland impacts created during implementation of remediation activities. The considerations as set forth in NJDEP Permit 1439-04-0001.1 (Appendix D), paragraph 15 (a-e), have been reviewed, and wetland conditions within the 0.337 acres of jurisdictional wetland impacted as a result of remediation activities are considered to be re-established. As a result, further monitoring or maintenance of the re-established wetland area is no longer warranted, and the restoration project is considered complete pending NJDEP review.

11 References

Gleason, Henry and Arthur Cronquist. 1991. Manual of Vascular Plants of North-eastern United States and Adjacent Canada. D. Van Nostrand Company, New York, New York. 910 pp.

L.E. Carpenter & Company Site

FIGURES



LEGEND

- APPROXIMATE PROPERTY BOUNDARY

- EXPANDED PROJECT AREA

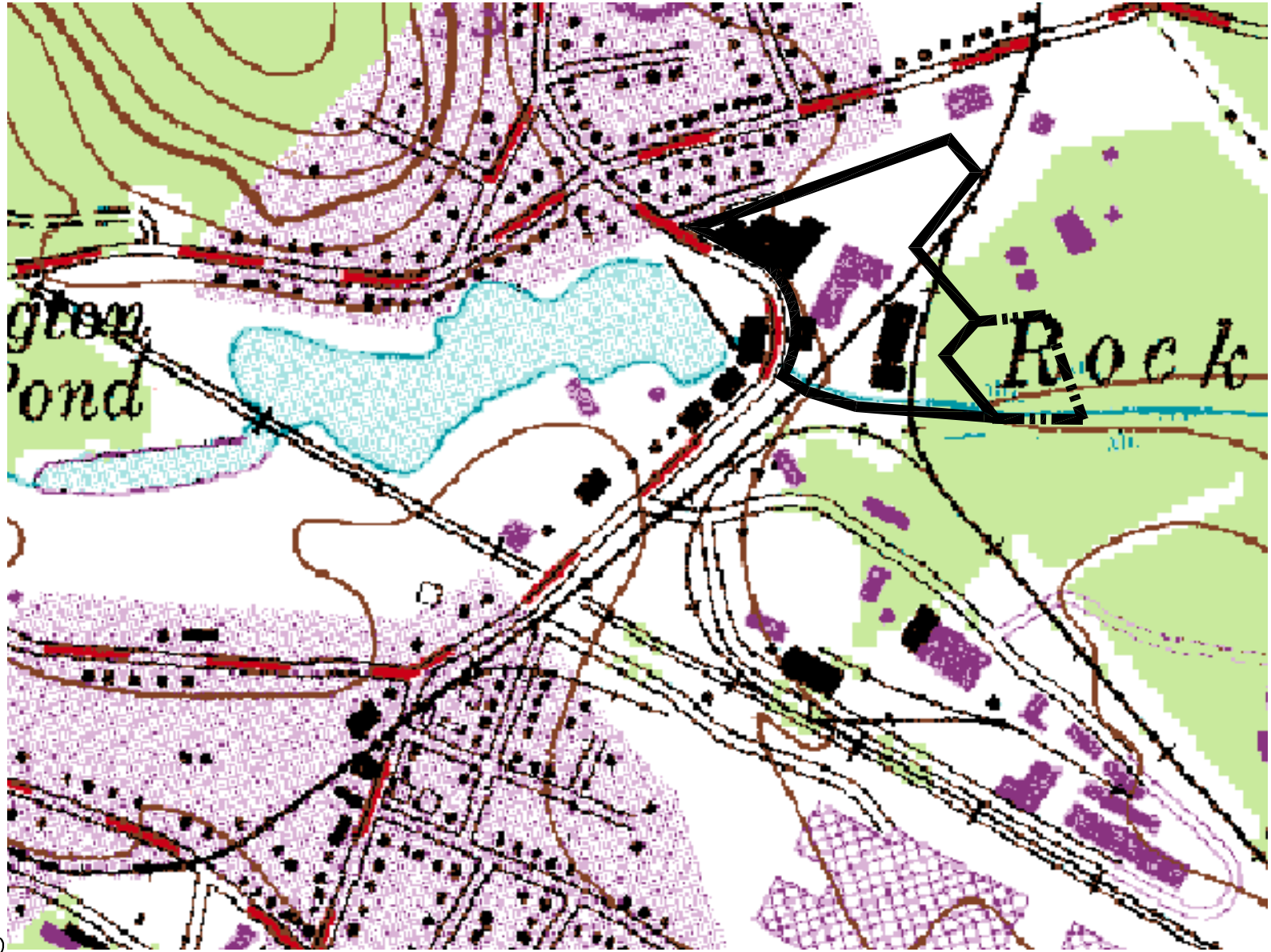
Cardno JFNew
Western Michigan
11181 Marwill Avenue
West Olive, Michigan 49460
616-847-1680
www.cardnojfnew.com

FIGURE 1 - LOCATION MAP

L.E. CARPENTER
WHARTON, NEW JERSEY

N

SCALE: NTS
DATE: 12.13.11
FILE: 040229LocationMap



LEGEND

- APPROXIMATE PROPERTY BOUNDARY

- EXPANDED PROJECT AREA

NOTES

STATE PLANE COORDINATES - 754326.58N 470891.83E (NAD83)

SOURCE:USGS DOVER,NJ QUADRANGLE

HUC-14 CODE 02030103030070

Cardno JFNew
Western Michigan
11181 Marwill Avenue
West Olive, Michigan 49460
616-847-1680
www.cardnojfnew.com

FIGURE 2 - USGS MAP

L.E. CARPENTER
WHARTON, NEW JERSEY

N

SCALE: NTS
DATE: 12.30.10
FILE: 040229USGSmap

RMT COMPUTER AIDED DESIGN AND DRAFTING

NOTES

1. AERIAL PHOTOGRAPH, DATED 2007.

N

0 60' 120' 180' 240'

SCALE IN FEET

NO.	BY	DATE	REVISION	APP'D.
5.				
4.				
3.				
2.				
1.				

L.E. CARPENTER
WHARTON, NEW JERSEY

FIGURE 3: 2007 AERIAL PHOTOGRAPH

DRAWN BY: SJL	SCALE: SHOWN	PROJECT NO. 6527.02
CHECKED BY: DD,NC		FILE NO. 6527.02
APPROVED BY: NC	DATE PRINTED:	**FIGURE 3**
DATE: APRIL 2004		

TRC Results you can rely on

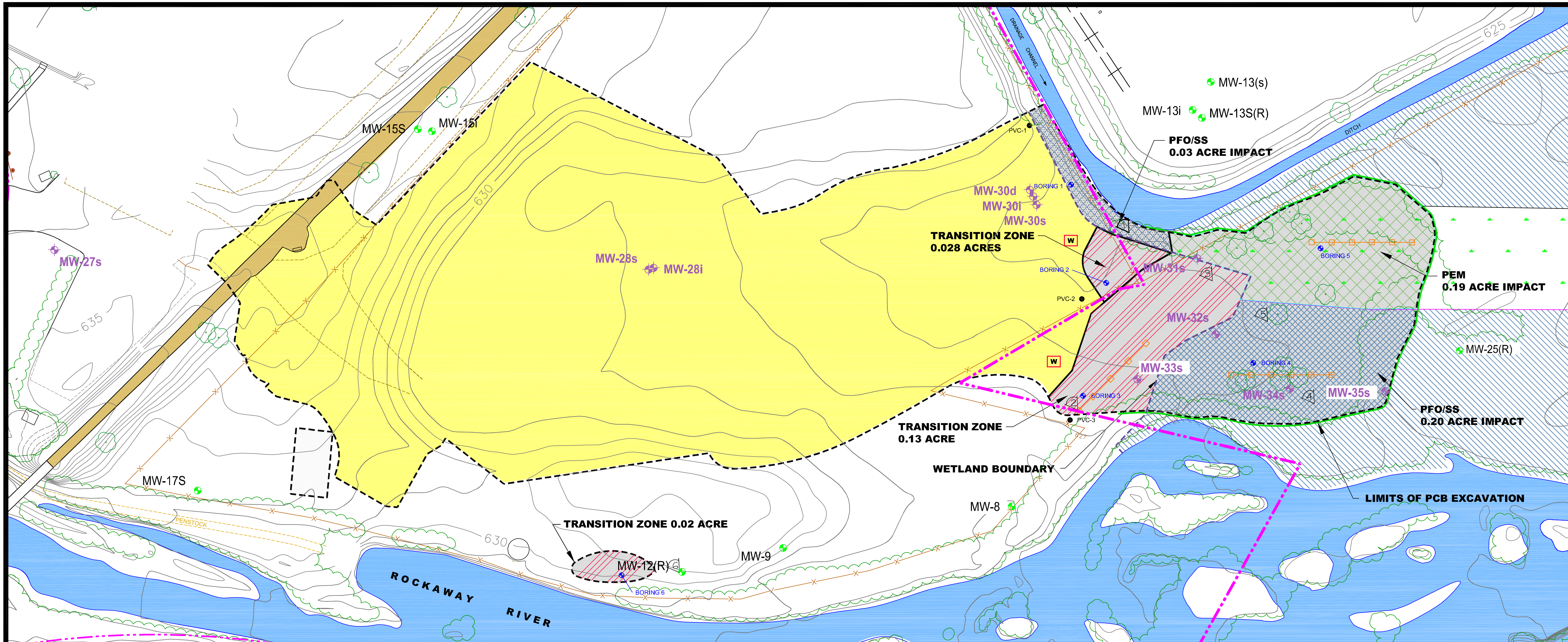
1143 HIGHLAND DRIVE, SUITE B
ANN ARBOR, MI. 48108–2237

PHONE: 313–971–7080
FAX: 313–971–9022

PLOT DATA
Drawing Name: J:\06527\02\6527 Figure 03.dwg
Operator Name: lucidos
Scale: Shown
Dwg Size: 63193 Bytes
Plot Date: Wednesday, April 14, 2004
Plot Time: 08:57.2680 AM
Attached Xref's: No xref's Attached.

Layout Name: Aerial Photograph - Figure 3

RMT COMPUTER AIDED DESIGN AND DRAFTING



EMERGENT WETLAND (PEM) SEED MIX (0.19 acre)

NATIVE COMPONENT

Scientific Name	Common Name	Ounces/Acre
Acorus calamus	Sweet flag	8.50
Alisma subcordatum	Common water plantain	8.00
Echinochloa crusgalli	Barnyard grass	12.00
Eleocharis obtusa	Blunt spike rush	3.00
Iris virginica shrevei	Blue flag iris	4.00
Juncus effusus	Soft rush	3.00
Leersia oryzoides	Rice cut grass	4.00
Lobelia cardinalis	Cardinal flower	0.75
Lobelia siphilitica	Great blue lobelia	1.00
Mimulus ringens	Monkey flower	2.00
Peltandra virginica	Arrow arum	16.00
Polygonum pensylvanicum	Pinkweed	6.00
Pontederia cordata	Pickerelweed	8.00
Sagittaria latifolia	Common arrowhead	8.00
Scirpus validus	Softstem bulrush	6.00
Sparganium eurycarpum	Common burreed	10.00
	TOTAL	100.25 oz/acre = 6.27 lbs/acre

TEMPORARY COVER COMPONENT

Scientific Name	Common Name	Ounces/Acre
Agrostis alba	Redtop	16.00
Lolium multiflorum	Annual rye	400.00
	TOTAL	416.00 oz/acre = 26.00 lbs/acre

SLOPE STABILIZATION SEED MIX (0.21 acre)

NATIVE COMPONENT

Scientific Name	Common Name	Ounces/Acre
Andropogon gerardii	Big bluestem	20.00
Andropogon scoparius	Little bluestem	32.00
Bouteloua curtipendula	Side-oats grama	3.00
Elymus canadensis	Canada wild-rye	5.00
Panicum virgatum	Switch grass	12.00
Sorghastrum nutans	Indian grass	24.00
	TOTAL	96.00 oz/acre = 6.00 lbs/acre

TEMPORARY COVER COMPONENT

Scientific Name	Common Name	Ounces/Acre
Agrostis alba	Redtop	16.00
Elymus hystrix	Eastern bottlebrush grass	64.00
Lolium multiflorum	Annual rye	400.00
	TOTAL	480.00 oz/acre = 30.00 lbs/acre

WOODED WETLAND UNDERSTORY SEED MIX (0.20 acre)

NATIVE COMPONENT

Scientific Name	Common Name	Ounces/Acre
Actinomeris alternifolia	Wingstem	1.00
Alisma subcordatum	Common water plantain	3.00
Aster umbellatus	Flat-top aster	1.25
Bidens cernua	Nodding bur marigold	3.00
Calamagrostis canadensis	Blue joint grass	3.00
Carex crinita	Fringed sedge	2.00
Carex hystericina	Porcupine sedge	4.00
Carex lupulina	Common hop sedge	4.00
Carex vulpinoidea	Fox sedge	6.00
Chelone glabra	Turtlehead	1.25
Elymus canadensis	Canada wild rye	6.00
Elymus virginicus	Virginia wild rye	12.00
Glyceria striata	Fowl manna grass	4.00
Helenium autumnale	Sneezeweed	1.50
Leersia oryzoides	Rice cut grass	2.00
Lobelia silphilitica	Great blue lobelia	1.50
Mimulus ringens	Monkeyflower	1.75
Panicum virgatum	Switch grass	2.50
Rudbeckia laciniata	Wild golden glow	0.75
Scirpus atrovirens	Dark green rush	6.00
Spartina pectinata	Prairie cord grass	4.00
	TOTAL	70.50 oz/acre = 4.41 lbs/acre

TEMPORARY COVER COMPONENT

Scientific Name	Common Name	Ounces/Acre
Agrostis alba	Redtop	16.00
Elymus hystrix	Eastern bottlebrush grass	64.00
Lolium multiflorum	Annual rye	400.00
	TOTAL	480.00 oz/acre = 30.00 lbs/acre

BARE ROOT TREES (PFO/SS WETLAND) (0.20 acre)

Scientific Name	Common Name	Quantity
Acer saccharinum	Silver maple	25
Betula nigra	River birch	25
Fraxinus pennsylvanica	Green Ash	50
Quercus palustris	Pin oak	25
	TOTAL	125

BARE ROOT SHRUBS (CHANNEL SLOPE STABILIZATION) (0.03 acre)

Scientific Name	Common Name	Quantity
Cornus obliqua	Silky Dogwood	50
Salix discolor	Pussy Willow	50
	TOTAL	100

BARE ROOT TREES (TRANSITION ZONE) (0.18 acre)

Scientific Name	Common Name	Quantity
Acer saccharum	Sugar Maple	25
Juglans nigra	Black Walnut	25
Liriodendron tulipfera	American elm	50
Quercus rubra	Northern red oak	50
	TOTAL	150

LEGEND

- APPROXIMATE PROPERTY LINE
- FENCE LINE
- TREES
- PVC-1 — WETLAND RESTORATION AND TRANSITION ZONE BOUNDARY POINTS MARKED IN THE FIELD WITH 3-foot LENGTHS OF 3-inch WHITE PVC; LURP Special Condition 11c
- BORING 1 — BORING 1: NJDEP LURP REQUIRED SOIL BORINGS, Permit Condition 11e
- AREA OF SOURCE REDUCTION DISTURBANCE OUTSIDE OF REGULATED WETLAND AREA
- STATE OPEN WATERS
- WETLAND BOUNDARY
- LIMITS SOURCE REDUCTION PCB EXCAVATION WITHIN REGULATED WETLAND AREA
- PEM (EMERGENT WETLAND)
- PFO / SS (FORESTED / SCRUB-SHRUB WETLAND)
- PFO / SS IMPACT (0.23 ACRE)
- PEM IMPACT (0.19 ACRE)
- TRANSITION ZONE IMPACT (0.18 ACRE)

SAMPLE OR MONITORING LOCATION AND NUMBER

- TRANSECT LOCATION WITH PLOTS
- PHOTOSTATION LOCATIONS
- MW-25(R) — GROUNDWATER ELEVATION MONITORING WELL LOCATION AND NUMBER (s = shallow, i = intermediate, d = deep)
- MW-29s — PRMP MONITORING WELL LOCATION AND NUMBER

WETLAND SIGN LOCATION

- W — WETLAND MITIGATION PROJECT SIGN

NOTES

1. BASE MAP DEVELOPED FROM TOPOGRAPHIC SURVEY PROVIDED BY JAMES M. STEWART, INC. LAND SURVEYORS, DRAWING NO 2793-03.DWG, DATED 02-14-02.
2. TOTAL PROPOSED WETLAND IMPACT 0.42 ACRE.
3. PROPOSED DENSITY FOR TREE RESTORATION IS 10' ON CENTER.

N

0 30' 60' 90' 120'

SCALE IN FEET

Cardno JFNew
Western Michigan
11181 Marwill Avenue
West Olive, Michigan 49460
616-847-1680
www.cardnojfnew.com

NO.	BY	DATE	REVISION	APP'D.
5.				
4.				
3.				
2.	BRM	12/14/09	MODIFY P/L	KR
1.	MPH	10/08/09	MODIFY P/L	KR

L.E. CARPENTER
WHARTON, NEW JERSEY

MITIGATION MONITORING MAP

DRAWN BY: SJL	SCALE: SHOWN	PROJECT NO. 6527.16
CHECKED BY: NC		FILE NO. 6527.16.01.DWG
APPROVED BY:	DATE PRINTED:	**FIGURE 4**
DATE: AUGUST 2005		

TRC Results you can rely on
1143 HIGHLAND DRIVE, SUITE B
ANN ARBOR, MI. 48108-2237
PHONE: 313-971-7080
FAX: 313-971-9022

JFN FILE: Grand Haven\PROJECTS\03_04\040229_RMT_NJ\CAD File\2009_MonitoringReport\20091008_MitMon_ASBUILTmap.dwg

PLOT DATA
Drawing Name: J:\06527\16\6527.16.01.dwg
Operator Name: lucidos
Scale: 1"=30'
Dwg Size: 857882 Bytes
Plot Date: Tuesday, August 16, 2005
Plot Time: 3:43.2375 PM
Attached Xref's: No xref's Attached.

L.E. Carpenter & Company Site

APPENDIX A

PLANTING LIST

2005 INITIAL PLANTINGS

EMERGENT WETLAND IMPACT AREA (0.19 acre)

Emergent Wetland Seed Mix (32.27 pounds/acre)

Native Component

Scientific Name	Common Name	Ounces/Acre
Acorus calamus	Sweet flag	8.50
Alisma subcordatum	Common water plantain	8.00
Echinochloa crusgalli	Barnyard grass	12.00
Eleocharis ovata	Blunt spike rush	3.00
Iris virginica shrevei	Blue flag iris	4.00
Juncus effusus	Soft rush	3.00
Leersia oryzoides	Rice cut grass	4.00
Lobelia cardinalis	Cardinal flower	0.75
Lobelia siphilitica	Great blue lobelia	1.00
Mimulus ringens	Monkey flower	2.00
Peltandra virginica	Arrow arum	16.00
Polygonum pensylvanicum	Pinkweed	6.00
Pontederia cordata	Pickerelweed	8.00
Sagittaria latifolia	Common arrowhead	8.00
Scirpus validus	Softstem bulrush	6.00
Sparganium eurycarpum	Common burreed	10.00
TOTAL NATIVE FORBS AND GRASSES		100.25 = (6.27 lbs/acre)

Temporary Cover Component

Scientific Name	Common Name	Ounces/Acre
Agrostis gigantea	Redtop	16.00
Lolium perenne	Annual rye	400.00
TOTAL		416.00 = (26.00 lbs/acre)

FORESTED/SCRUB-SHRUB IMPACT AREA (0.20 acre)

Wooded Wetland Understory Seed Mix (34.41 pounds/acre)

Native Component

Scientific Name	Common Name	Ounces/Acre
Alisma subcordatum	Common water plantain	3.00
Aster umbellatus	Flat-top aster	1.25
Bidens cernua	Nodding bur marigold	3.00
Calamagrostis canadensis	Blue joint grass	3.00
Carex crinita	Fringed sedge	2.00
Carex hystericina	Porcupine sedge	4.00
Carex lupulina	Common hop sedge	4.00
Carex vulpinoidea	Fox sedge	6.00
Chelone glabra	Turtlehead	1.25
Elymus canadensis	Canada wild rye	6.00
Elymus virginicus	Virginia wild rye	12.00
Glyceria striata	Fowl manna grass	4.00
Helenium autumnale	Sneezeweed	1.50
Leersia oryzoides	Rice cut grass	2.00
Lobelia silphilitica	Great blue lobelia	1.50
Mimulus ringens	Monkeyflower	1.75
Panicum virgatum	Switch grass	2.50
Rudbeckia laciniata	Wild golden glow	0.75
Scirpus atrovirens	Dark green rush	6.00
Spartina pectinata	Prairie cord grass	4.00
Verbesina alternifolia	Wingstem	1.00
TOTAL NATIVE FORBS AND GRASSES		70.50 = (4.41 lbs/acre)

Temporary Cover Component

Scientific Name	Common Name	Ounces/Acre
Agrostis gigantea	Redtop	16.00
Elymus hystrix	Eastern bottlebrush grass	64.00
Lolium multiflorum	Annual rye	400.00
TOTAL		480.00 = (30.00 lbs/acre)

Native Trees and Shrubs

Scientific Name	Common Name	Quantity
Acer saccharinum	Silver maple	25
Betula nigra	River birch	25
Fraxinus pennsylvanica	Green ash	50
Quercus palustris	Pin oak	25
TOTAL TREES		125

DRAINAGE CHANNEL SIDESLOPE IMPACT AREA (0.03 acre)

Slope Stabilization Mix (36.00 pounds/acre)

Native Component

Scientific Name	Common Name	Ounces/Acre
Andropogon gerardii	Big bluestem	20.00
Bouteloua curtipendula	Side-oats grama	3.00
Elymus canadensis	Canada wild-rye	5.00
Panicum virgatum	Switch grass	12.00
Schizachyrium scoparium	Little bluestem	32.00
Sorghastrum nutans	Indian grass	24.00
TOTAL NATIVE GRASSES		96.00 = (6.00 lbs/acre)

Temporary Cover Component

Scientific Name	Common Name	Ounces/Acre
Agrostis gigantea	Redtop	16.00
Elymus hystrix	Eastern bottlebrush grass	64.00
Lolium perenne	Annual rye	400.00
TOTAL		480.00 = (30.00 lbs/acre)

Native Trees and Shrubs

Scientific Name	Common Name	Quantity
Cornus amomum	Silky dogwood	50
Salix discolor	Pussy willow	50
TOTAL TREES		100

TRANSITION ZONE IMPACT AREA (0.18 acre)

Slope Stabilization Mix (36.00 pounds/acre)

Native Component

Scientific Name	Common Name	Ounces/Acre
Andropogon gerardii	Big bluestem	20.00
Bouteloua curtipendula	Side-oats grama	3.00
Elymus canadensis	Canada wild-rye	5.00
Panicum virgatum	Switch grass	12.00
Schizachyrium scoparium	Little bluestem	32.00
Sorghastrum nutans	Indian grass	24.00
TOTAL NATIVE GRASSES		96.00 = (6.00 lbs/acre)

Temporary Cover Component

Scientific Name	Common Name	Ounces/Acre
Agrostis gigantea	Redtop	16.00
Elymus hystrix	Eastern bottlebrush grass	64.00
Lolium perenne	Annual rye	400.00
TOTAL		480.00 = (30.00 lbs/acre)

Native Trees and Shrubs

Scientific Name	Common Name	Quantity
Acer saccharum	Sugar maple	25
Juglans nigra	Black walnut	25
Liriodendron tulipifera	Tulip tree	50
Quercus rubra	Red oak	50
TOTAL TREES		150

2008 Supplemental Plantings

Native Trees and Shrubs Replant

Scientific Name	Common Name	Quantity
Acer rubrum	Red maple	25
Acer saccharinum	Silver maple	25
Betula nigra	River birch	25
Cornus amomum	Silky dogwood	25
Cornus sericea	Red-osier dogwood	50
Liriodendron tulipifera	Tulip tree	25
Quercus palustris	Pin oak	25
Quercus rubra	Red oak	25
Salix nigra	Black willow	25
Ulmus americana	American elm	25
TOTAL TREES/SHRUBS		275

2013 Supplemental Plantings

Native 15-Gallon Trees

Scientific Name	Common Name	Quantity
Salix babylonica	Black willow	25
Betula nigra	River birch	26
TOTAL TREES		51

L.E. Carpenter & Company Site

APPENDIX

B

WETLAND MITIGATION SAMPLING DATA SHEETS

DATA ENTRY FORM	
MITIGATION WETLAND MONITORING	
Special Site Notes: None	
Project Number: 040229	**Project Name/Location:** TRC/New Jersey
General Site Conditions: Site fully vegetated.	**Date:** May 29, 2014
Past and Present Weather: Cloudy and 60°F	**Site Hydrology:** Saturated at surface to 4" of inundation. Water table present in soil pit at 2" below soil surface.
Wildlife: See report	

VEGETATION SAMPLING DATA

Transition Zone Inventory

Acer rubrum	*Helenium autumnale*	*Taraxacum officinale*
Achillea millefolium	*Hypericum perforatum*	*Trifolium repens*
Ambrosia artemisiifolia	*Juncus effusus*	*Verbascum thapsus*
Andropogon gerardii	*Juncus tenuis*	*Verbena hastata*
Apocynum cannabinum	*Lamium purpureum*	*Verbena urticifolia*
Artemisia vulgaris	*Lespedeza capitata*	
Arthraxon hispidus	*Lonicera tatarica*	
Barbarea vulgaris	*Lotus corniculata*	
Betula nigra	*Lythrum salicaria*	
Carex crinita	*Melilotus officinalis*	
Carex rosea	*Mentha spicata*	
Carex vulpinoidea	*Microstegium vimineum*	
Carya cordiformis	*Oxalis stricta*	
Celastrus orbiculatus	*Panicum dichotomiflorum*	
Centaurea maculosa	*Panicum virgatum*	
Chrysanthemum leucanthemum	*Plantago lanceolata*	
Cirsium arvense	*Plantago major*	
Cornus amomum	*Poa compressa*	
Cyperus strigosus	*Polygonum punctatum*	
Datura stramonium	*Potentilla simplex*	
Daucus carota	*Rosa multiflora*	
Echinochloa crus-galli	*Rubus allegheniensis*	
Elaeagnus umbellata	*Rumex crispus*	
Elymus sp.	*Salix nigra*	
Erigeron strigosus	*Setaria faberi*	
Eupatorium rugosum	*Setaria glauca*	
Euthamia graminifolia	*Solidago altissima*	
Fraxinus pennsylvanica	*Solidago juncea*	
Geranium maculatum	*Solidago rugosa*	
Glechoma hederacea	*Sorghastrum nutans*	

VEGETATION SAMPLING DATA		
Emergent Zone Inventory		
Hydrology: Soil saturated at surface to 4" inundation. Free water in soil pit 2" below soil surface		
Species Names	**Species Names**	**Species Names**
Acalypha rhomboidea	*Echinochloa crus-galli*	*Phalaris arundinacea*
Acer rubrum	*Elaeagnus umbellata*	*Phragmites australis*
Acer saccharinum	*Eleocharis obtusa*	*Pilea pumila*
Achillea millefolium	*Eleusine indica*	*Plantago major*
Agrostis gigantea	*Epilobium angustifolium*	*Polygonum pensylvanicum*
Alliaria petiolata	*Erechtites hieracifolia*	*Polygonum punctatum*
Ambrosia artemisiifolia	*Eupatorium perfoliatum*	*Polygonum sagittatum*
Arisaema triphyllum	*Euthamia graminifolia*	*Polygonum virginianum*
Artemisia vulgaris	*Fraxinus pennsylvanica*	*Potentilla simplex*
Arthraxon hispidus	*Geum canadense*	*Quercus palustris*
Asclepias incarnata	*Helenium autumnale*	*Rosa multiflora*
Barbarea vulgaris	*Impatiens capensis*	*Rubus allegheniensis*
Betula nigra	*Iris virginica*	*Rumex crispus*
Bidens cernuus	*Juncus effusus*	*Sagittaria latifolia*
Bidens connatus	*Juncus tenuis*	*Salix nigra*
Bidens frondosus	*Leersia oryzoides*	*Scirpus pungens*
Bidens polylepis	*Lindera benzoin*	*Scirpus validus*
Boehmeria cylindrica	*Lobelia cardinalis*	*Setaria glauca*
Cares lupulina	*Lobelia siphilitica*	*Solidago altissima*
Carex crinita	*Lonicera tatarica*	*Sparganium eurycarpum*
Carex hystericina	*Lotus corniculata*	*Toxicodendron radicans*
Carex vulpinoidea	*Lycopus americanus*	*Trifolium repens*
Celastrus orbiculatus	*Lythrum salicaria*	*Typha angustifolia*
Cerastium fontanum	*Melilotus officinalis*	*Typha latifolia*
Chenopodium album	*Mentha spicata*	*Ulmus rubra*
Chrysanthemum leucanthemum	*Microstegium vimineum*	*Verbena hastata*
Circaea lutetiana	*Mikania scandens*	*Verbena urticifolia*
Cirsium arvense	*Oxalis stricta*	*Vicia sativa*
Cornus amomum	*Panicum capillare*	
Cyperus flavescens	*Panicum dichotomiflorum*	
Cyperus strigosus	*Parthenocissus quinquefolia*	

VEGETATION SAMPLING DATA		
Forested Zone Inventory		
Hydrology: Soil saturated at surface to 4" inundation. Free water in soil pit 2" below soil surface		
Species Names	**Species Names**	**Species Names**
Acer rubrum	*Epilobium angustifolium*	*Phalaris arundinacea*
Acer saccharinum	*Erechtites hieracifolia*	*Picea glauca*
Achillea millefolium	*Erigeron strigosus*	*Pilea pumila*
Ambrosia artemisiifolia	*Eupatorium perfoliatum*	*Plantago major*
Artemisia vulgaris	*Eupatorium rugosum*	*Polygonum convolvulus*
Arthraxon hispidus	*Euthamia graminifolia*	*Polygonum pensylvanicum*
Asclepias incarnata	*Fragaria virginiana*	*Polygonum sagittatum*
Betula nigra	*Galium concinnum*	*Potentilla simplex*
Boehmeria cylindrica	*Glechoma hederacea*	*Quercus palustris*
Carex crinita	*Helenium autumnale*	*Rosa multiflora*
Carex hystericina	*Impatiens capensis*	*Rubus allegheniensis*
Carex lupulina	*Juncus effusus*	*Rumex crispus*
Carex lurida	*Juncus tenuis*	*Sagittaria latifolia*
Carex rosea	*Leersia oryzoides*	*Salix nigra*
Carex vulpinoidea	*Lindera benzoin*	*Setaria glauca*
Celastrus orbiculatus	*Liriodendron tulipifera*	*Solidago altissima*
Chenopodium album	*Lobelia siphilitica*	*Symplocarpus foetidus*
Circaea lutetiana	*Lonicera tatarica*	*Toxicodendron radicans*
Cirsium arvense	*Lotus corniculata*	*Trifolium pratense*
Cornus amomum	*Lycopus americanus*	*Trifolium repens*
Cyperus flavescens	*Lythrum salicaria*	*Typha angustifolia*
Cyperus strigosus	*Melilotus officinalis*	*Typha latifolia*
Datura stramonium	*Mentha spicata*	*Ulmus rubra*
Daucus carota	*Microstegium vimineum*	*Verbena hastata*
Desmodium ciliare	*Myosotis scorpioides*	*Verbena urticifolia*
Echinochloa crus-galli	*Oxalis stricta*	*Verbesina alternifolia*
Elaeagnus umbellata	*Panicum capillare*	*Vicia sativa*
Eleocharis obtusa	*Panicum dichotomiflorum*	
Eleusine indica	*Parthenocissus quinquefolia*	
Elymus sp.	*Penthorum sedoides*	

L.E. Carpenter & Company Site

APPENDIX C

PHOTOGRAPHS OF WETLAND DEVELOPMENT

Photo 1. Photo along Forested Zone transect, facing west (May 21, 2013)

Photo 2. Photo along Forested Zone transect, facing west (May 29, 2014)

Site Photographs
May 2014
L.E. Carpenter & Company
Wetland Restoration Area
Wharton, Morris County, New Jersey

Cardno JFNew
040229

Cardno JFNew
11181 Marwill Avenue West Olive, MI 49460
Phone 616-847-1680 / Fax 616-847-9970
www.jfnew.com

Photo 3. Photo along Emergent Zone transect, facing west (May 29, 2014)

Photo 4. Photo along Transition Zone transect, facing north (May 29, 2014)

Site Photographs
May 2014
L.E. Carpenter & Company
Wetland Restoration Area
Wharton, Morris County, New Jersey

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www.jfnew.com

L.E. Carpenter & Company Site

APPENDIX D

NJDEP PERMIT 1439-04-0001.1

State of New Jersey
Department of Environmental Protection

Richard J. Codey
Acting Governor

Bradley M. Campbell
Commissioner

Land Use Regulation Program
P.O. Box 439, Trenton, NJ 08625-0439
Fax # (609) 292-8115
www.state.nj.us/dep/landuse

FEB 25 2005

Mr. Nicholas Clevett
RMT, Inc., Michigan
2025 E. Beltline Avenue SE, Suite 402
Grand Rapids, MI 49546

RE: Authorization for Freshwater Wetlands Statewide General Permit No. 4
File No.: 1439-04-0001.1 (FWW 040001)
Applicant: L.E. Carpenter & Company
Block: 301; Lot: 1
Block: 801; Lots: 3, 4, & 5
Wharton Borough, Morris County
Nearest Waterway: Rockaway River
Passaic River Basin

Dear Mr. Clevett:

The Land Use Regulation Program has reviewed the referenced application for a Statewide General Permit authorization pursuant to the requirements of the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. **The proposed activity is authorized by Statewide General Permit No. 4**, which allows regulated activities in freshwater wetlands, transition areas and State open waters for the investigation, cleanup or removal of hazardous substances or pollutants, which are undertaken, authorized or otherwise expressly approved in writing by the Department of Environmental Protection (Department).

Limit of Authorized Disturbance

The approved plans are prepared by RMT, Inc., dated February 21, 2005, last revised February 21, 2005, and entitled:

"L.E. Carpenter, Wetland and Stream Encroachment Permit Applications, Wharton, New Jersey"

"F3 – Wetland Impact Map", Sheet No. F3 of 7;
"F4 – Wetland Restoration Plan", Sheet No. F4 of 7;
"F5 – Construction Staging and Excavation Plan", Sheet No. F5 of 7;
"F6 – Final Grading Plan", Sheet No. F6 of 7;
"F7 – Details", Sheet No. F7 of 7

Based on the approved plans, the authorized activity involves the disturbance of approximately 0.42 of an acre of freshwater wetlands and/or State open waters and approximately 0.19 acres of wetland transition areas for removal of contaminated soil and restoration of the disturbed areas. Any additional disturbance of freshwater wetlands, State open waters or transition areas besides that shown on the approved plans shall be considered a violation of the Freshwater Wetlands Protection Act unless the activity is exempt or a permit is obtained prior to the start of the disturbance from the Land Use Regulation Program.

Permit Conditions

The activities allowed by this authorization shall comply with the following conditions. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.).

Special Conditions

1. All regulated activities at this existing Superfund site must be in accordance with the requirements of the Department's Site Remediation Program and the United States Environmental Protection Agency, including any requirements contained within an approved Remedial Action Workplan.

2. In order to protect the trout maintenance and trout stocked waters of the Rockaway River, any proposed grading or construction activities within the banks of this river are prohibited between March 15 and June 15 of each year. In addition, any activity within the 100-year flood plain or flood hazard area of this watercourse which could introduce sediment into said stream or which could cause an increase in the natural level of turbidity is also prohibited during this period. The Department reserves the right to suspend all regulated activities on site should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.

3. All backfill soils shall consist of clean, suitable material free from toxic pollutants in toxic amounts.

4. In addition to restoration of the wetland transition area as shown on the approved plan entitled "F4- Wetland Restoration Plan", the applicant shall also restore an area of wetland transition area not currently shown on the plan. This area extends 50' from the wetlands on the Wharton Enterprise property. These wetlands are classified as Intermediate resource value. This additional wetland transition area is drawn on the attached map portion. The restoration of this additional area shall be consistent with the notes on Sheet No. F4 of 7.

5. The mitigation project must be conducted prior to or concurrent with the construction of the approved project.

6. Mitigate for the loss of 0.16 acres of emergent wetlands and 0.26 acres of forested and scrub/shrub wetlands through an on-site restoration project as shown on the plan entitled "F4 - Wetland Restoration Plan, L.E. Carpenter, Wetland and Stream Encroachment Permit Applications, Wharton, New Jersey", dated February 21, 2005, last revised February 21, 2005, and prepared by RMT, Inc. In the event there is a conflict between the permit conditions and the approved mitigation plan and proposal the permit conditions take precedent.

7. The permittee shall notify the Land Use Regulation Program, in writing, at least thirty (30) days in advance of the start of construction of the wetland mitigation project for an on-site pre-construction meeting between the permittee, the contractor, the consultant and the Program.

8. The mitigation designer must be present during critical stages of construction of the mitigation project this includes but is not limited to herbicide applications, sub-grade inspection, final grade inspection, and planting inspection to ensure the intent of the mitigation design and their predicted wetland hydrology is realized in the landscape. Mitigation designs are not static documents and changes may be necessary to ensure success of the project. It shall be the prerogative of the mitigation consultant to make changes to the design should field conditions warrant such action.

9. Immediately following final grading of the site, a disc must be run over the site to eliminate compaction. The mitigation designer must be present to oversee this phase of the project and confirm with the Department this activity has occurred prior to planting of the site.

10. Immediately following the final grading of the mitigation site and prior to planting, the permittee shall notify the Program for a post-grading construction meeting between the permittee, contractor, consultant and the Program. The permittee must give the Program at least thirty (30) days notice prior to the date of this meeting.

11. Within 30 days following the final grading and planting of the mitigation project, the permittee shall submit a final report to the Land Use Regulation Program. The final report shall contain, at a minimum, the following information:

    a. A completed WETLAND MITIGATION PROJECT COMPLETION OF CONSTRUCTION FORM (attached) which certifies that the mitigation project has been constructed as designed and that the proposed area of wetland creation, restoration or enhancement has been accomplished;

    b. As built plans which depict final grade elevations at one foot contours and include a table of the species and quantities of vegetation that were planted including any grasses that may have been used for soil stabilization purposes;

    c. Show on the as-built plans that the boundaries of the wetland mitigation area has been visibly marked with 3 inch white PVC pipe extending 4 feet above the ground surface. The stakes must remain on the site for the entire monitoring period;

d. Photos of the constructed wetland mitigation project with a photo location map as well as the GPS waypoints in NJ state plane coordinates NAD 1983;

e. To document that the required amount of soil has been placed/replaced over the entire area of the mitigation site, provide a minimum of 6 soil profile descriptions to a depth of 20 inches. The location of each soil profile description should be depicted on the as built plan as well as provide the GPS waypoints in NJ state plane coordinates NAD 1983;

f. Submit soil test results demonstrating at least 8% organic carbon content (by weight) was incorporated into the A-horizon for sandy soil and for all other soil types 12% organic content or if manmade top soil was used it consisted of equal volumes of organic and mineral materials;

g. The permittee shall post the mitigation area with several permanent signs, which identify the site as a wetland mitigation project and that mowing, cutting, dumping and draining of the property is prohibited; and

h. The sign must also state the name of the permittee, LURP permit number along with a contact name and phone number.

12. If the Program determines that the mitigation project is not constructed in conformance with the approved plan, the permittee will be notified in writing and will have 60 days to submit a proposal to indicate how the project will be corrected. No financial surety will be released by the Program until the permittee demonstrates that the mitigation project is constructed in conformance with the approved plan, all soil has been stabilized and there is no active erosion.

13. The permittee shall monitor the mitigation project for 5 full growing seasons if it is a proposed forested or scrub/shrub wetland and 3 full growing seasons for an emergent wetland or State open water after the mitigation project has been constructed. The permittee shall submit monitoring reports to the Land Use Regulation Program no later than December 31st of each monitoring year (All monitoring reports must include the standard items identified in the attachment and the information requested below).

14. All monitoring report will include all the following information (see attached monitoring report checklist):

a. All monitoring reports except the final one must include documentation that it is anticipated, based on field data, that the goals of the wetland mitigation project including the transition area, as stated in the approved wetland mitigation proposal and the permit will be satisfied. If the permittee is finding problems with the mitigation project and does not anticipate the site will be a full success then recommendations on how to rectify the problems must be included in the report with a time frame in which they will be completed;

b. All monitoring reports except the final one must include field data to document that the site is progressing towards 85 percent survival and 85 percent area coverage of mitigation plantings or target hydrophytes (Target hydrophytes are non-invasive native species to the area and similar to ones identified on the mitigation planting plan). If the proposed plant community is a scrub/shrub or a forested wetland the permittee must also demonstrate each year with data that the woody species are thriving, increasing in stem density and height each year. If the field data shows that the mitigation project is failing to meet the vegetation survival, coverage and health goals, the monitoring

report should contain a discussion of steps that will be taken to rectify the problem, including a schedule of implementation;

c. All monitoring reports except the final one must include documentation of any invasive or noxious species (see below for list of species) colonizing the site and how they are being eliminated. The permittee is required to eliminate either through hand-pulling, application of a pesticide or other Department approved method any occurrence of an invasive/noxious species on the mitigation site during the monitoring period;

d. All monitoring reports except the final one must include documentation that demonstrates the proposed hydrologic regime as specified in the mitigation proposal appears to be met. If the permittee is finding problems with the mitigation project and does not anticipate the proposed hydrologic regime will be or has not been met then recommendations on how to rectify the problem must be included in the report along with a time frame within which it will be completed;

e. The final monitoring report must include documentation to demonstrate that the goals of the wetland mitigation project including the required transition area, as stated in the approved wetland mitigation proposal and the permit, has been satisfied. Documentation for this report will also include a field wetland delineation of the wetland mitigation project based on techniques as specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989);

f. The final monitoring report must include documentation the site has an 85 percent survival and 85 percent area coverage of the mitigation plantings or target hydrophytes. The permittee must also document that all plant species are healthy and thriving and if the proposed plant community contains trees demonstrate that the trees are at least five feet in height;

g. The final monitoring report must include documentation demonstrating the site is less than 10 percent occupied by invasive or noxious species such as but not limited to *Phalaris arundinacea* (Reed canary grass), *Phragmities australis* (Common reed grass), *Pueraria lobata* (Kudzu), *Typha latifloia* (Broad-leaved cattail), *Typha angustifolia* (Narrowed leaved cattail), *Lythrum salicaria* (Purple loosestrife), *Ailanthus altissima* (Tree-of-heaven), *Berberis thunbergi* (Japanese barberry), *Berberis vulgaris* (Common barberry), *Elaeagnus angustifloia* (Russian olive), *Elaeagnus umbellata* (Autumn olive), *Ligustrum obtusifolium* (Japanese privet), *Ligustrum vulgare* (Common privet) and *Rosa multiforia* (Multiflora rose);

h. The final monitoring report must include documentation that demonstrates that the proposed hydrologic regime as specified in the mitigation proposal, which proves the mitigation site is a wetland has been satisfied. The documentation shall include when appropriate monitoring well data, stream gauge data, photographs and field observation notes collected throughout the monitoring period; and

i. The final monitoring report must include documentation that the site contains hydric soils or there is evidence of reduction occurring in the soil throughout the delineated wetlands.

15. Once the required monitoring period has expired and the permittee has submitted the final monitoring report, the Program will make the finding that the mitigation project is either a

success or a failure. This mitigation project will be considered successful if the permittee demonstrates all of the following:

a. That the goals of the wetland mitigation project including acreage and the required transition area, as stated in the approved wetland mitigation proposal and the permit, has been satisfied. The permittee must submit a field wetland delineation of the wetland mitigation project based on the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989) which shows the exact acreage of State open waters, emergent, scrub/shrub and/or forested wetlands in the mitigation area;

b. The site has an 85 percent survival and 85 percent area coverage of the mitigation plantings or target hydrophytes which are species native to the area and similar to ones identified on the mitigation planting plan. All plant species in the mitigation area are healthy and thriving. All trees are at least five feet in height;

c. The site is less than 10 percent occupied by invasive or noxious species such as but not limited to *Phalaris arundinacea* (Reed canary grass), *Phragmities australis* (Common reed grass), *Pueraria montana* (Kudzu), *Typha latifloia* (Broad-leaved cattail), *Typha angustifolia* (Narrowed leaved cattail), *Lythrum salicaria* (Purple loosestrife), *Ailanthus altissima* (Tree-of-heaven), *Berberis thunbergi* (Japanese barberry), *Berberis vulgaris* (Common barberry), *Elaeagnus angustifloia* (Russian olive), *Elaeagnus umbellata* (Autumn olive), *Ligustrum obtusifolium* (Japanese privet), *Ligustrum vulgare* (Common privet) and *Rosa multiforia* (Multiflora rose);

d. The site contains hydric soils or there is evidence of reduction occurring in the soil; and,

e. The proposed hydrologic regime as specified in the mitigation proposal, which proves the mitigation site is a wetland has been satisfied.

16. If the mitigation project is considered a failure, the permittee is required to submit a revised mitigation plan to rectify the wetland mitigation site. The plan shall be submitted within 60 days of receipt of the letter from the Program indicating the wetland mitigation project was a failure.

17. The permittee shall assume all liability for accomplishing corrective work should the Program determine that the compensatory mitigation has not been 100% satisfactory. Remedial work may include re-grading and/or replanting the mitigation site. This responsibility is incumbent upon the permittee until such time that the Department makes the finding that the mitigation project is successful.

In addition to the above conditions and the conditions noted at N.J.A.C. 7:7A 4.3 and 5.4, the following general conditions must be met for the activity authorized under this Statewide General Permit:

General Conditions:

18. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.

19. This permit is revocable in accordance with DEP regulations and State law.

20. The issuance of this permit shall not be deemed to affect in any way other actions by the Department on any future application.

21. The activities shown on the approved plans shall be constructed and/or executed in conformity with any notes and details on said plans and any conditions stipulated herein.

22. No change in plans or specifications shall be made except with the prior written permission of the Department.

23. The granting of this authorization shall not be construed to in any way affect the title or ownership of the property, and shall not make the Department or the State a party in any suit or question of ownership of the property.

24. This permit is not valid and no work shall be undertaken pursuant to this authorization until all other required federal, state, and local approvals, licenses and permits necessary for commencement of work onsite have been obtained.

25. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.

26. The permittee shall allow the Program the right to inspect the construction site and also shall provide the Bureau of Coastal and Land Use Compliance and Enforcement, NJDEP, 401 East State Street, P.O. Box 422, Trenton, New Jersey 08625 with written notification 7 days prior to the start of the authorized work.

27. This authorization is valid for five years from the date of this letter unless more stringent standards are adopted by rule prior to this date.

Transition Area

The wetlands affected by this permit authorization are of Ordinary and Intermediate resource value. The wetland located associated with the drainage channel located along the eastern side of the site are classified as Ordinary resource value. No standard transition area is required adjacent to Ordinary resource value wetlands. The wetlands located on the adjacent Wharton Enterprise property are classified as Intermediate resource value and have a standard required transition area or buffer of 50 feet. In addition, all of the wetlands are classified as priority wetlands by the United States Environmental Protection Agency since they drain into the Passaic River Basin. This General Permit includes a transition area waiver that allows encroachment only in that portion of the transition area that has been determined by the Department to be necessary to accomplish the regulated activities. Any additional regulated activities conducted within the standard transition area shall require a separate transition area

waiver from the Program. Regulated activities within a transition area are defined at N.J.A.C. 7:7A-2.6.

Consistency with the Areawide Water Quality Management Plan

This project has not been reviewed for consistency with the relevant Water Quality Management Plan or Statewide Water Quality Management Planning Rules (N.J.A.C. 7:15). As such, there is no intended or implied approval regarding additional permits which may be required from the Department. For treatment works approvals, the consistency determination will be performed by the Bureau of Engineering and Permitting (North/South) which may be contacted at (609) 292-6894 for North (Middlesex, Hunterdon and Counties north) or (609) 633-1139 for South (Mercer, Monmouth and Counties south). For general information concerning the water quality management planning process, please contact the Division of Watershed Management at (609) 633-1179.

Appeal of Decision

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton NJ 08625. This request must include a completed copy of the Administrative Hearing Request Checklist.

If you have any questions regarding this authorization, please contact Susan Michniewski of our staff at (609) 633-9277. Please reference the above file number.

Sincerely,

Mark A. Godfrey, Supervisor
Morris & Bergen Counties Region
Bureau of Inland Regulation

Attachments (map sketch, mitigation forms)

c. Anthony Cinque, Site Remediation Program
Jodale Legg, Land Use Regulation Program – Mitigation Unit
Nadine White, Land Use Regulation Program
Bureau of Coastal and Land Use Compliance and Enforcement
Wharton Borough Clerk
Wharton Borough Construction Official
Wharton Borough Planning Board
Wharton Borough Environmental Commission